

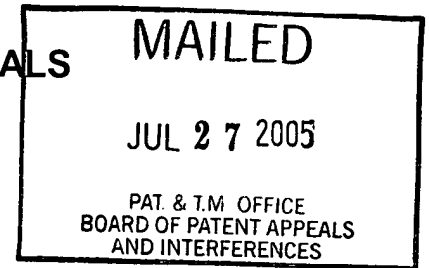
UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte DAVID A. NWESOME, MD

Application No. 09/634,054

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was electronically received at the Board of Patent Appeals and Interferences on June 17, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed October 1, 2003 is defective because the prior art of record is not stated in the Examiner's Answer. This is needed to process the case. Appropriate correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art of record, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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